

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

NOV 25 2002

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT BARRITZ

Application No. 09/389,858

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 14, 2002. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On November 8, 2002, the Board of Patent Appeals and Interferences (hereinafter the "Board") returned this application to the examiner to consider the Information Disclosure Statement (IDS) filed on January 12, 2002 (Paper No. 8), and to notify appellant in writing as to such consideration. A review of the file reveals that the examiner has considered the IDS filed on January 12, 2002 (Paper No. 8). However, there is no

Application No. 09/389,858

communication of record from the examiner notifying appellant as to consideration of the IDS.

Accordingly, it is

ORDERED that the application is returned to the examiner for notifying appellant of consideration of the IDS filed on January 12, 2002 (Paper No. 8), and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW
Program and Resource Administrator
(703) 308-9797

cc: OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, NY 10036-8403

DMS/clm/dm
RA03-0064